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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

SAMANTHA RASCON,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 1:18-cv-00711-AWI-SAB

ORDER REQUIRING PARTIES TO FILE A  
JOINT REPORT

(ECF No. 6)

RESPONSE DUE: AUGUST 1, 2018

On December 6, 2017, Plaintiff Samantha Rascon filed this action in the Tulare County Superior Court against the Kaweah Delta Health Care District and the Family Healthcare Network. (ECF No. 1 at 4-8.) On May 24, 2018, the United States of America removed this action to the Eastern District of California and filed a notice of substitution for the Family Healthcare Network. (ECF Nos. 1, 3.) On July 9, 2018, the Court signed an order directing the Clerk of the Court to terminate Family Healthcare Network because the United States of America had substituted in as a defendant in place of Family Healthcare Network. (ECF No. 5.) That order also directed the parties to address the status of Kaweah Delta Health Care District as it pertains to this action in their joint scheduling report. The joint scheduling report was due on August 6, 2018.

Prior to the parties filing a joint scheduling report, Plaintiff and Defendant United States of America filed a stipulation for dismissal of Defendant United States of America on July 24,

1 2018. (ECF No. 6.) The Court notes that currently the docket in this action lists Kaweah Delta  
2 Health Care District as a defendant, but Kaweah Delta Health Care District has not appeared in  
3 this action. The Court takes judicial notice of Rascon v. Kaweah Delta Health Care District,  
4 VCU272009 (Tulare County Superior Court), [https://efiling.tulare.courts.ca.gov/?q=node/364/  
5 1446115/FV-Documents-Portal](https://efiling.tulare.courts.ca.gov/?q=node/364/1446115/FV-Documents-Portal). Although the notice of removal was filed in the Tulare County  
6 Superior Court on May 25, 2018, case management statements were filed in the Tulare County  
7 Superior Court on May 31, 2018 and June 4, 2018, by Kaweah Delta Health Care District and  
8 Plaintiff, respectively. Therefore, it is unclear what the status of Kaweah Delta Health Care  
9 District is as it pertains to this action and whether this action should be closed now that Plaintiff  
10 and Defendant United States of America have filed a stipulation for dismissal. As the stipulation  
11 for dismissal of Defendant United States of America was filed prior to the parties having the  
12 opportunity to address the status of Kaweah Delta Health Care District in their joint scheduling  
13 report and the Court needs clarity on this issue, the Court will have the parties file a joint report  
14 addressing this issue.

15 Accordingly, IT IS HEREBY ORDERED that the parties shall file a joint report on or  
16 before August 1, 2018, addressing the status of Kaweah Delta Health Care District as it pertains  
17 to this action and whether this action should be closed now that Plaintiff and Defendant United  
18 States of America have filed a stipulation for dismissal.

19 IT IS SO ORDERED.

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21 Dated: July 25, 2018

  
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UNITED STATES MAGISTRATE JUDGE